

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO: 4:24-CR-543-2
§
JOHN SBLENDORIO §**

MOTION TO DISCOVER CRIMINAL RECORDS OF WITNESSES

TO THE HONORABLE JUDGE OF SAID COURT

Now comes the Defendant, JOHN SBLENDORIO in the above styled and numbered cause, by and through her attorney, Anthony P. Troiani and moves the Court to require the United States Attorney to make available to the Defendant all criminal records which the Government's witnesses or possible witnesses have in this cause and in support thereof would show the Court as follows:

I.

That the Defendant does not have any way of determining the criminal record of the Government's witnesses or possible witnesses in this cause as such records are exclusively in the possession and under the control of the Government.

II.

That the United States Attorney does have the means at his disposal to obtain full and complete criminal record of each of the Government's witnesses or possible witnesses.

III.

That evidence of a prior criminal record, including convictions for felony offenses and misdemeanor offenses, particularly those misdemeanor offenses involving moral turpitude, and acts of misconduct are relevant and material for impeachment purposes and to shed light on the bias, motive, animus and ill feeling on the part of any witness testifying against the Defendant.

IV.

That the Government should not be permitted to avoid the responsibility of requesting the proper law enforcement authorities to obtain a full and complete prior criminal record of the Government's witnesses or possible witnesses, and should not be permitted to respond to this Motion by advising the Court that the United States Attorney does not have any indication in his file of any prior criminal record of such witnesses simply because he has not made the necessary inquiries.

V.

That if the United States Attorney does not request the proper law enforcement authorities to obtain a full and complete criminal record of such witnesses and reveal all of said information to the Defendant, the United States Attorney will be secreting evidence which would probably affect the verdict.

WHEREFORE PREMISES CONSIDERED, the Defendant respectfully prays that this Honorable Court will order the United States Attorney to request the proper law enforcement authorities to obtain a full and complete prior criminal record of all Government's witnesses and possible witnesses in this cause and that the United States Attorney be ordered to reveal said prior criminal record and acts of misconduct to the Defendant prior to the trial of this cause.

Respectfully submitted,

By: /s/ Anthony P. Troiani
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Attorney for Defendant
JOHN SBLENDORIO

CERTIFICATE OF SERVICE

I, Anthony P Troiani, Attorney for Defendant, JOHN SBLENDORIO hereby certify that a true and correct copy of said Motion to Discover Criminal Records of witnesses has been served on to Hon. Byron Black, Assistant United States Attorney at 1000 Louisiana, Suite 2300, Houston, Texas 77002 on this the 8th day of November 2024.

/s/ Anthony P. Troiani
Anthony P. Troiani

CERTIFICATE OF CONFERENCE

Counsel conferred with the Government on November 7, 2024, and the Government is opposed to the filing of this motion.

/s/ Anthony P. Troiani
Anthony P. Troiani